

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ELIZABETH SHERMAN, et al.	:	CIVIL ACTION
<i>On behalf of themselves and all others</i>	:	
<i>similarly situated</i>	:	No. 09-575
	:	
v.	:	
	:	
AMERICAN EAGLE EXPRESS, INC.	:	
<i>d/b/a AEXGROUP</i>	:	

ORDER

AND NOW, this 8th day of March, 2012, it is ORDERED Plaintiffs' Motion for Class Certification (Document 180) is GRANTED in part and DENIED in part.

The motion is GRANTED insofar as the following class shall be certified for Plaintiffs' claims for violations of Pennsylvania's Wage Payment and Collection Law (Count II of the First Amended Class Action Complaint):

all individuals who have worked for AEX in Pennsylvania between May 1, 2008 and the present and performed work as delivery drivers classified as independent contractors.

The motion is DENIED insofar as Plaintiffs' proposed class for Count II shall be modified as described above, and insofar as their proposed class for claims for violations of Pennsylvania's Minimum Wage Act (Counts III and VI) shall not be certified.

It is further ORDERED:

- Plaintiffs Elizabeth Sherman, Mohamad Abushalieh, Anthony Sturgis, and William Walsh are certified as class representatives;
- Attorneys Harold L. Lichten and David J. Cohen are designated and approved as co-lead counsel for the class; and

- The parties shall submit an agreed-upon proposed notice program and forms of notice to class members on or before April 9, 2012. If the parties are unable to agree on the proposed notice program and/or forms of notice, they shall submit separate proposals.

BY THE COURT:

\s\ Juan R. Sánchez
Juan R. Sánchez, J.